

ORDINANCE

(AS AMENDED)

CITY OF NEW ORLEANS

CITY HALL: August 26, 2010

CALENDAR NO. 28,124

NO. 24126 MAYOR COUNCIL SERIES

BY: COUNCILMEMBERS FIELKOW AND CLARKSON (BY REQUEST)

AN ORDINANCE to amend and re-ordain Chapter 2, Article IV of the Code of the City of New Orleans by adding Division 11, to establish the New Orleans Recreation Development Commission ("Commission"), to provide for membership composition and length of terms of members of the Commission; and otherwise to provide with respect thereto.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, that Article IV of Chapter 2 of the City Code is hereby amended and reordained to
3 add Division 11 to read as follows:

4 **"DIVISION 11 NEW ORLEANS RECREATION DEVELOPMENT COMMISSION**

5 **Section 2-301 Authority**

6 This section is established pursuant to requirements set forth in Article V, Chapter 10,
7 Sections 5-1001, 5-1002, and 5-1003 of the Home Rule Charter relative to the membership
8 composition and length of terms of the New Orleans Recreation Development Commission
9 ("Commission"), its powers, duties and functions, and its administration.

10 **Section 2-302 Effective Date**

11 This Ordinance shall have effect only upon adoption of the amendment to the Home Rule
12 Charter proposed in Ordinance No. 23998 M.C.S.

13 **Section 2-303 Function**

14 The Commission shall:

15 (a) Plan, supervise, and conduct a comprehensive and coordinated program of
16 cultural and physical recreation;

17 (b) Promote cooperative planning with public and private entities concerned with
18 recreation;

19 (c) Manage, maintain, and operate recreational facilities owned or operated by the
20 City of New Orleans; and

21 (d) Other related duties as may be provided by ordinance of the Council.

22 **Section 2-304 Composition and Terms of Membership**

23 The Commission shall consist of thirteen members and be known as the "New Orleans
24 Recreation Development Commission." The Mayor shall appoint, subject to the approval of the
25 City Council:

26 (a) one individual from each of the following nominating entities whereby a
27 nominating entity may nominate himself or herself: (i) The Mayor; (ii) the First Deputy
28 Mayor – Chief Administrative Officer; (iii) the Deputy Mayor of Operations; (iv) one
29 member of the New Orleans City Council who chairs the City Council's Youth and

30 Recreation Committee but if said committee shall have more than one chairperson, then
31 the co-chairs of said committee shall rotate on May 1 of each year; (v) the Superintendent
32 of the Recovery School District; (vi) the Chairman of the Orleans Parish School Board;
33 (vii) the Chairman of the City Planning Commission; and (viii) the Chairman of the New
34 Orleans Recreation Development Foundation ("Foundation").

35 (b) Five duly qualified electors who are domiciled in the City who shall
36 possess expertise or experience in at least one of the following subject areas: arts or
37 culture; sports; accounting or finance; business; law; or who shall be a consumer of
38 activities of the New Orleans Recreation Development Commission, including but not
39 limited to, a coach of a youth sports team, parent or guardian of a child who is a
40 consumer of activities of the Commission, youth sports-related booster club member, or
41 someone experienced in providing cultural or recreational programming to senior
42 citizens. In its deliberations, the Mayor and the Council shall consider factors such as
43 diversity and geographic location of appointments, relevant skills and any other expertise
44 beneficial to the operation of the recreation facilities and programs for the City.

45 (c) No more than one member serving pursuant to paragraph (b) of this
46 Section shall be domiciled in the same City Council District.

47 (d) The members serving pursuant to paragraph (a) of this Section shall serve
48 an initial term of five years in office, but during such time, should the individual making
49 a nomination to the mayor no longer serve in his or her term of office or appointment,
50 then the individual next serving in said office or said appointment shall make a new
51 nomination to the Mayor within 30 days of taking office. Subsequent to the initial term,
52 members serving pursuant to paragraph (a) of this Section shall serve during their terms

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of office or appointment or until such office or appointment ceases to exist. In the event a nominating entity listed in paragraph (a) of this Section shall not exist, the member serving pursuant to that nomination shall no longer serve on the Commission. Within 60 days of such office ceasing to exist, the City Council shall, by Ordinance, provide for a new nominating entity to replace the nominating source which ceased to exist.

(e) The initial members serving pursuant to paragraph (b) of this Section shall serve for terms of five years. Upon expiration of the initial five-year terms established pursuant to paragraph (b) of this Section, terms shall be organized on a staggered basis. The term of office of the appointees after the initial five year terms shall be as follows: one for one year, one for two years, one for three years, one for four years, and one for five years with the length of term to be identified by the Mayor at the time of nomination. All terms shall commence on January 1, 2011. After the staggering, terms shall be for five years. Reappointment of members shall be permitted.

(f) Any vacancy on the Commission shall be filled by the same appointing authority and nominating source required by paragraphs (a) and (b) of this Section.

Section 2-305 Organization

(a) The Commission shall convene its organizational meeting not later than January 31st of each year. At such time, or prior thereto, the Commission shall elect a chairperson and other officers from among the five members serving pursuant to Section 2-304(b). The chairperson and other officers shall serve a term of one year as officers, but may be removed for cause by a vote of a majority of the Commission. Reappointment of the chairperson and other officers shall be permitted.

(b) At its organizational meeting, the Commission shall establish and cause to be published in the Official Journal, a schedule for its regular meetings for the year, which shall not be less than one per month.

(c) The Commission shall also create such standing and special committees as may be beneficial to the conduct of its business,

(d) All meetings of the Commission and any of its committees shall be conducted in accordance with the Louisiana Open Meetings Act, R.S. 42:4.1, *et seq.*

(e) Documents of the Commission shall be public records available to the public in accordance with the Louisiana Public Records Act, R.S. 44:1 *et seq.*

(f) The Commission shall hold its inaugural meeting prior to January 15, 2011.

(g) The Commission shall promulgate and adopt rules, regulations and/or bylaws in accordance with City Code.

Section 2-306 New Orleans Recreation Development Foundation

Within ninety days of the effective date of this Ordinance, the Mayor and City Council shall by Cooperative Endeavor Agreement or by ordinance, cause to be formed the New Orleans Recreation Development Foundation to be organized as a Louisiana non-profit corporation. The Foundation shall serve as a fundraising body to support the activities of the Commission. The Foundation shall seek tax-exempt status under the Internal Revenue Code as a non-profit corporation. The initial members of the Board of Directors of the Foundation shall be the co-chairs of the NORD Citizens Advisory Panel. The initial members of the Board of Directors shall have the responsibility of establishing the size of the Board of Directors and identifying and appointing additional members of the

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Foundation Board of Directors to fulfill its mission of raising funds to support the

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Commission.

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(a) The Foundation shall convene its organizational meeting not later than

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January 31st of each year. At such time the Foundation shall elect a chairperson and

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other officers. The chairperson and other officers shall serve a term of one year as

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officers, but may be removed for cause by a vote of a majority of the Foundation.

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Reappointment of the chairperson and other officers shall be permitted.

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(b) At its organizational meeting, the Foundation shall establish and cause to

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be published in the Official Journal, a schedule for its regular meetings for the year,

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which shall not be less than six times per year.

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(c) The Foundation shall also create such standing and special committees as

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may be beneficial to the conduct of its business,

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(d) All meetings of the Foundation and any of its committees shall be

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conducted in accordance with the Louisiana Open Meetings Act, R.S. 42:4.1, *et seq.*

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(e) Documents of the Foundation shall be public records available to the

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public in accordance with the Louisiana Public Records Act, R.S. 44:1 *et seq.*

- 114 (f) The Foundation shall hold its inaugural meeting prior to January 1, 2011.
- 115 (g) The Foundation shall promulgate and adopt rules, regulations and/or
- 116 bylaws in accordance with City Code.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS SEPTEMBER 2, 2010

ARNIE FIELKOW
PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON SEPTEMBER 2, 2010

APPROVED:

DISAPPROVED: SEPTEMBER 10, 2010

MITCHELL J. LANDRIEU
MAYOR

RETURNED BY THE MAYOR ON SEPTMEBER 10, 2010 AT 4:55 P.M.

PEGGY LEWIS
CLERK OF COUNCIL


ROLL CALL VOTE:

YEAS: Clarkson, Fielkow, Guidry, Gisleson Palmer, Head, Hedge-Morrell, Johnson - 7

NAYS: 0

ABSENT: 0

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY


COUNCIL